

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRISTAN LOGAN,
Plaintiff,

v.

ELAINE CHAO, SECRETARY,
UNITED STATES DEPARTMENT OF LABOR,
Defendant.

C.A. No. 05-10045GAO

**DEFENDANT'S MOTION FOR EXTENSION OF
TIME IN WHICH TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

Now comes the defendant, United States of America,¹ and hereby moves this Court for a thirty-day extension of time **up to and including August 5, 2005**, to answer or otherwise respond to the Complaint. As reasons therefore, the undersigned counsel for the United States asserts that such an extension will allow counsel the necessary time to obtain relevant facts and background information of this matter. Additionally, the undersigned counsel is presently away on annual leave and will not return until after the referenced response is due.

The United States asserts that there have been no prior requests for extensions in this action.

¹ This motion is not intended to be a responsive pleading. By the filing of this motion, the United States is not waiving any of the procedural, affirmative, or other waivable and non-waivable defenses available to it in the normal course of filing a responsive pleading. The United States intends to raise those defenses when it answers or otherwise responds to the Complaint.

WHEREFORE, the United States respectfully requests that this Court allows its motion for an extension of time **up to and including August 5, 2005**, to answer or otherwise respond to the Complaint.

Respectfully submitted,

UNITED STATES OF AMERICA,
By its attorney,

MICHAEL J. SULLIVAN
United States Attorney

Dated: July 1, 2005

By: /s/ Gina Walcott-Torres
Gina Walcott-Torres
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
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LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel certifies that she has attempted to contact the plaintiff in this matter, who is acting *pro se*, to inform him of the relief sought herein.

/s/Gina Walcott-Torres
Gina Walcott-Torres
Assistant U.S. Attorney